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Date: 12/26/2004 16:50

NO. OF PAGE: 16 (include this page)

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Comment:

Dear Mr. Jiang I would respectfully request a telephone interview with you regarding Application No. 10/754,429. A draft Office Action Response with amended claims follows for your review and our discussion. Please call my office at 802-893-7700 and leave me a message as to the best time and date to arrange for this interview.

Thank you very much.
Eric R. Benson

Applicant: Mark Harvie

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office by Facsimile Transfer and directed to Examiner - Chen Wen Jiang of Art Unit 3744 at (703) 872-9306.

December 26, 2004
Date

Eric R. Benson

Eric R. Benson, Esq.

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicant : Mark R. Harvie

Group Art Unit: 3744

Serial No.: 10/754,429 filed January 9, 2004 which claims priority from
Provisional Patent Application Number 60/439,972 which was filed on
January 14, 2003.

Filed: 1/9/04

Examiner: Chen Wen Jiang

Title: PERSONAL COOLING AND HEATING SYSTEM

Commissioner of Patents and Trademarks
Art Unit 3744
Washington, D.C. 20231

Dear Sir:

AMENDMENT

In response to the undated First Office Action mailed on July 30, 2004, and the informal telephone conversation with the Examiner on July 27, 2004, the Applicant elected Examiner identified Species C: thermoelectric cooler of Fig. 8 and asserted that Claims 1,2,3,4,5,9,10,11,12,13, and 20 are readable on said Species C. The Applicant filed a reply on August 26, 2004, and therein the Applicant contended that all originally filed 20 claims in this patent application are allowable and are herein represented. The Applicant asserted that the generic claims in this application are allowable and therefore reserved the right to claim any such additional species written in dependent form thereon or which otherwise include all the limitations of any such generic claims that may be found allowable by the Examiner.

In response to the undated Office Action mailed on October 8, 2004, and the informal telephone interview with the Examiner on December __, 2004, please amend the above-identified application as follows: